



SUSMAN GODFREY L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP



August 27, 2024

VIA ECF

Hon. Ona T. Wang
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

RE: *Authors Guild et al. v. OpenAI Inc. et al*, No. 23-cv-8292 (S.D.N.Y.)
Alter et al. v. OpenAI Inc. et al, No. 23-cv-10211 (S.D.N.Y.)
Basbanes et al. v. Microsoft Corporation et al, No. 24-cv-84 (S.D.N.Y.)

Dear Judge Wang:

We write on behalf of the Plaintiffs and the Proposed Classes in the above-captioned actions. Plaintiffs, with the consent of Defendants Microsoft and OpenAI, request a status conference before Your Honor to address outstanding issues and motions in the case, including:

- The parties' joint request for an extension to the existing pre-trial deadlines, including the September 17 close of fact discovery, Dkt. 180¹;
- Both parties' motions related to discovery and proposed ESI protocols, Dkts. 78, 107², 138, 164, 167, and 168;
- Plaintiffs' request for bimonthly status conferences, Dkt. 147;
- A deposition protocol and deposition coordination between this action and *In re: OpenAI ChatGPT Litig.*, No. 23-cv-3223-AMO, pending in the Northern District of California, *see* Dkt. 150; and

¹ All docket numbers given for docket in *Author's Guild et al. v. OpenAI, Inc. et al.*, 23-cv-8292.

² Unsealed/unredacted copy at Dkt. 143 pursuant to Court's order on motion to seal, Dkt. 142.

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- Plaintiffs' notice of voluntary dismissal of Plaintiff Maya Lang, Dkt. 173.

The parties have conferred and agree that a status conference, and guidance with respect to the pending motions, would help the parties in proceeding with discovery efficiently and quickly. The parties can be available in person or remotely as Your Honor prefers.

Respectfully submitted,

LIEFF CABRASER HEIMANN
& BERNSTEINS LLP

/s/ Rachel Geman

Rachel Geman

SUSMAN GODFREY LLP

/s/ Rohit D. Nath

Rohit D. Nath

COWAN DEBAETS
ABRAHAMS & SHEPPARD
LLP

/s/ Scott J. Sholder

Scott J. Sholder

cc: All Counsel of Record (via ECF)